

Chevy Chase Village Board of Managers' Meeting

December 14, 2015

Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance.

BOARD OF MANAGERS

Michael L. Denger, Chair	Present
Elissa A. Leonard, Vice Chair	Absent
Richard M. Ruda, Secretary	Present
David L. Winstead, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Robert C. Goodwin, Jr., Assistant Treasurer	Present
Minh Le, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting & Code Enforcement Coordinator	Present
Melissa Wiak, Community Liaison/Administrative Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
--------------------------------------	---------

Mr. Denger, Chair of the Board of Managers, called the meeting to order at 7:30 p.m.

Mr. Denger stated that the Village Board had met in closed session prior to the regular meeting pursuant to Section 10-508(a)(4), (7), and (14) of the General Provisions Article, Annotated Code of Maryland, to discuss pending negotiations under a proposed franchise agreement with Comcast and a Memorandum of Understanding with Montgomery County for administration of the franchise agreement. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda and Mr. Winstead were in attendance along with Ms. Davis-Cook, Mr. Younes, and Ms. Ferguson. Mr. Denger stated that no actions were taken by the Board during the closed session.

Approval of Minutes from the Board's Regular Meeting held on November 9, 2015

Minutes of the Board's regular meeting held on November 9, 2015 were circulated to the Board prior to the meeting. Mr. Denger presented the following amendment to the draft minutes:

- Page 3, line 9: Delete "September 14" and replace with "October 12"

Mr. Goodwin moved to approve the minutes of the Board of Managers' regular monthly meeting held on November 9, 2015, as amended. Ms. Le seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, and Ms. Le voted in favor of the motion. Mr. Winstead was absent from the Board's Regular Meeting held on November 9, 2015 and did not vote. The motion passed.

Approval of Minutes from the Board's Executive Session held on November 9, 2015

Minutes of the Board's executive session held on November 9, 2015 were circulated to the Board prior to the meeting.

Mr. Crockett moved to approve the minutes of the Board of Managers' executive session held on November 9, 2015, as drafted. Mr. Goodwin seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, and Ms. Le voted in favor of the motion. Mr. Winstead was absent from the Board's Executive Session held on November 9, 2015 and did not vote. The motion passed.

Consent Agenda—Tree Ordinance Board Consent Agreement:

A-2210 (Tree Removal Appeal): Mr. Joshua & Ms. Helen Bonnie, 19 Grafton Street:

Removal of one twelve (12)-inch diameter Norway Maple tree located in the rear yard of the property.

No Board Members requested removal of Case A-2210 from the Consent Agenda. The Consent Agreement was deemed approved.

Variance Requests:

Continuance (This matter was introduced during the Board's November 9, 2015 Regular Meeting): A-6843 (a) & (b): Mr. Jeffrey Selingo & Ms. Heather A. Selingo Salko, 205

Primrose Street: Construct:

- a) An expanded front stoop. The proposed stoop would measure a maximum of seventeen feet, four inches (17'-4") in width. The proposed stoop would encroach no farther forward of the twenty-five (25) foot front (Primrose Street) building restriction line than the maximum encroachment of the existing stoop (eight and one-quarter (8¼) inches), but the overall width of the proposed stoop would increase from the existing by nine (9) feet.

Mr. Crockett moved to approve the Variance request in Case A-6843 (a) on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the Variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the Variance request. Mr. Goodwin seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, and Ms. Le voted in favor of the motion. The motion passed.

- b) A new portico over an expanded front stoop. The proposed portico would encroach a maximum of one foot, one and one-quarter inches (1'-1 ¼") forward of the twenty-five (25) foot front (Primrose Street) building restriction line.

Mr. Crockett moved to approve the Variance request in Case A-6843 (b) on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the Variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the

Variance request. Mr. Goodwin seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, and Ms. Le voted in favor of the motion. The motion passed.

A-6862 (a) & (b): Mr. Brian Christaldi & Ms. Amy Edmonds Christaldi, 4031 Oliver

Street: Replace a concrete pool deck with a pool deck constructed of flagstones set in stone dust within the same footprint as the existing pool deck, which encroaches a maximum of:

- a) six feet, eleven inches (6'-11") into the east (side) yard setback; and
- b) three feet, eight inches (3'-8") into the west (side) yard setback.

Mr. & Mrs. Christaldi were in attendance. Discussion followed.

Mr. Denger moved to direct staff and counsel to draft an order determining that based upon the testimony and evidence presented at the hearing the swimming pool and its associated deck are a developmental nonconformity and, therefore, no variance is required and the Building Permit Application for the proposed replacement of the pool deck can be reviewed administratively by the Village Manager. Mr. Ruda seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, and Ms. Le voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. *No formal action was taken by the Board.*

Matters Presented for Board Discussion and Possible Action (where required)

Contract Authorization Request

- Website Redevelopment

A staff report including the draft Contract for Services was circulated to the Board and posted to the Village website prior to the meeting.

Mr. Crockett moved to authorize the Village Manager to enter into a contract with Icon Enterprises, Inc. d/b/a Civic Plus, in substantially the form provided, for the redevelopment of the Chevy Chase Village website, under GSA Schedule #GS-35F-0124U (for pricing only), in an amount not to exceed \$18,500.00. Mr. Goodwin seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, and Ms. Le voted in favor of the motion. The motion passed.

Committee Matters

Election Supervisors

- Report Regarding Procedures For Board Candidate Forums

Proposed procedures from the Election Supervisors for Board candidate forums was circulated to the Board and posted to the Village website prior to the meeting. Election Supervisors Chair Ms. Charlotte Jones Carroll was in attendance and provided a report on the proposed procedures. Discussion followed.

The Board asked Ms. Jones Carroll to discuss the following procedures with the Election Supervisors and return to the Board at its January 11 regular meeting for further discussion:

- Under the provision: “[a] **reasonable** effort shall be made to select a date at which all candidates can be present....” (**emphasis added**) consider using the term “maximum” or another term that implies utmost effort.
- It should be clear that the forum Moderator is responsible for ensuring that audience questions are germane to the election and not to past Village Board actions/history or to matters that non-incumbent candidates would be unable to answer/contribute.
- Reconsider allowing candidates to select a non-candidate and non-sitting Board Member of their choosing to read a statement provided by the candidate during the forum.

Police Report

The Police Report was distributed to the Board and posted to the Village website prior to the meeting. Discussion followed. *No formal action was taken by the Board.*

Manager’s Report

The Manager’s Report was circulated to the Board prior to the meeting. *No formal action was taken by the Board.*

Adjournment

Mr. Winstead moved to adjourn the meeting. Ms. Le seconded the motion. Mr. Denger, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, and Ms. Le voted in favor of the motion. The motion passed. The meeting adjourned at 9:00 p.m.

Attested by: Shana R. Davis-Cook, Village Manager

Final.